

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DARLENE CELLUCCI,	:	CIVIL ACTION
	:	NO. 12-6038
Plaintiff,	:	
	:	
v.	:	
	:	
RBS CITIZENS, N.A., et al.	:	
	:	
Defendants.	:	

**O R D E R**

**AND NOW**, this **17th** day of **December, 2013**, for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that Defendants' Motion for Summary Judgment (ECF No. 20) is **GRANTED**. It is further **ORDERED** that Plaintiff's Motion for Leave to File First Amended Complaint (ECF No. 17) is **DENIED as futile**.<sup>1</sup> Finally, it is **ORDERED** that Defendants' Motion for Leave to File a Reply Brief (ECF No. 22) is **DENIED** as moot. The clerk shall mark the case **CLOSED**.

**AND IT IS SO ORDERED.**

/s/ Eduardo C. Robreno  
**EDUARDO C. ROBRENO, J.**

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<sup>1</sup> Leave to amend "shall be freely given, in the absence of circumstances such as undue delay, bad faith or dilatory motive, undue prejudice to the opposing party or futility of amendment." Jablonski v. Pan Am. World Airways, Inc., 863 F.2d 289, 292 (3d Cir. 1988); see also Fed. R. Civ. P. 15(a). Plaintiff seeks to amend her Complaint solely to add claims under the Pennsylvania Human Relations Act ("PHRA"), which is "interpreted coextensively" with the ADEA. Burton v. Teleflex Inc., 707 F.3d 417, 432 (3d Cir. 2013). Accordingly, as those claims would fail for the same reasons expressed in the accompanying memorandum, the requested amendment would be futile.